

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Kiyotaka MIYANO )  
) Group Art Unit: Not Yet Assigned  
Application No.: Not Yet Assigned )  
) Examiner: Not Yet Assigned  
Filed: November 13, 2003 )  
)  
For: SEMICONDUCTOR DEVICE )  
AND METHOD OF )  
MANUFACTURING THE SAME )

**MAIL STOP**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO-1449. Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following is a concise statement of relevance of the non-English language documents:

1. Japanese Patent Laid Open (Kokai) No. P2002-26318A discloses a gate stack consisting of Si and SiGe oxidized to form a T-shaped gate electrode.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and the applicant determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

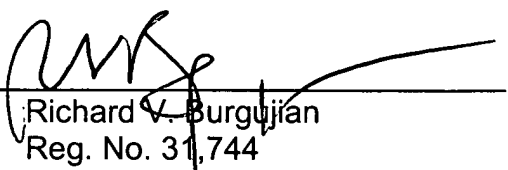
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 13, 2003

By:

  
Richard V. Burgujian  
Reg. No. 31,744

Enclosures  
RVB/FPD/mdh

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No. 04329.3181	Application No. Not Yet Assigned
Applicant Kiyotaka MIYANO	
Filing Date November 13, 2003	Group: Not Yet Assigned

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	6,133,150	10/17/00	Nakajima et al.			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
2002-26318	1/25/02	Japan			No

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce